

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MICHEL MERRILL,

No. C 05-4460 MEJ

Plaintiff(s),

vs.

**ORDER DIRECTING PARTIES TO FILE  
CONSENT/DECLINATION FORM**

KIEWIT PACIFIC CO., et al.,

Defendant(s).

Pending before the Court is Plaintiff's Motion to Remand, filed on December 2, 2005. Upon review of the record in this action, the Court notes that the parties have not filed written consents to Magistrate Judge James' jurisdiction or requests for reassignment to a United States District Court judge for trial. This civil case was randomly assigned to United States Magistrate Judge Maria-Elena James for all purposes including trial. In accordance with Title 28, U.S.C. § 636(c), the Magistrate Judges of this District Court are designated to conduct any and all proceedings in a civil case, including a jury or non-jury trial, and to order the entry of final judgment, upon the consent of the parties. An appeal from a judgment entered by Magistrate Judge James may be taken directly to the United States Court of Appeals for the Ninth Circuit in the same manner as an appeal from any other judgment of a district court.

You have the right to have your case assigned to a United States District Judge for trial and disposition. Accordingly, the parties shall inform the Court whether they consent to Magistrate Judge

James' jurisdiction or request reassignment to a United States District Judge for trial. A copy of both the consent and declination forms may be obtained from the Northern District of California's website at <http://www.cand.uscourts.gov/>. From the homepage, click on the "Forms" tab on the left margin, then choose "Civil." The parties shall inform the Court as soon as possible, but no later than December 15, 2005.

**IT IS SO ORDERED.**

Dated: December 2, 2005

  
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MARIA-ELENA JAMES  
United States Magistrate Judge